

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CASE NO. 05-11283-NG

TERESA A. MCCOY
Plaintiff

V.

PRUDENTIAL INSURANCE COMPANY
OF AMERICA
Defendant

**PLAINTIFF TERESA A. MCCOY'S
MOTION FOR SUMMARY JUDGMENT SEEKING AN AWARD OF LONG TERM
DISABILITY BENEFITS, INTEREST AND ATTORNEYS' FEES AND COSTS
AGAINST PRUDENTIAL INSURANCE COMPANY OF AMERICA**

NOW COMES the plaintiff Teresa A. McCoy, pursuant to Rule 56 of F.R.C.P, moving this Court to enter summary judgment in her favor awarding her long term disability benefits from November 19, 2002 through November 19, 2004, plus interest costs and reasonable attorneys' fees as allowed by statute. She further request that she be permitted to file an application for attorneys' fees and costs within 14 days of this Court awarding a judgment in her favor. Further, she requests that this Court deny Prudential Insurance Company of America's cross motion for summary judgment.

In support of this motion, plaintiff relies on her memorandum of law file herewith, her Rule 56.1 statement and the documents which Prudential Insurance Company of America has filed with this Court contending to be the record on review.

WHEREFORE, plaintiff prays that this motion be allowed.

TERESA A. MCCOY

By Her Attorneys,

/s/ Jonathan M. Feigenbaum

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants on this 18th day of August 2006.

/s/ Jonathan M. Feigenbaum

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